

07-29-05
IN THE UNITED STATES PATENT AND TRADEMARK OFFICEAtty. Docket No.
P1219P1C1Mail Stop 1000
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re: Patent Appln. Of

Inventor(s): Timothy A. Stewart, et al.

Appln. No. 10/715,795

File: November 17, 2003

Group Art Unit: 1646

Examiner: Olga N. Chernyshev

Confirmation No. 5748

Customer No. 09157

Sir:

Title: FIBROBLAST GROWTH FACTOR-19
(FGF-19) NUCLEIC ACIDS AND
POLYPEPTIDES AND METHODS OF USE
FOR THE TREATMENT OF OBESITY**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114****Certificate of Mailing (via Express Mail) (37 C.F.R. § 1.8(a)):**Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as Express Mail, (Express Mail No.: **EV 385656155 US**) in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450Dated: 7-27-05 By: Pam Golden
Pam Golden**PREREQUISITES**This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.An issue fee has not been paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).**Prosecution has been closed as defined in Rule 114(b).****Reply to any outstanding action and Rule 17(e) filing fee must be enclosed**

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

- | | |
|--|---|
| 1. Please <input checked="" type="checkbox"/> enter <input type="checkbox"/> do not enter the Amendment filed | 08/01/2005 EFLORES 00000022 070630 10715795 |
| 2. <input checked="" type="checkbox"/> The enclosed <u>Amendment</u> . | 01 FC:1801 790.00 DA |
| 3. <input type="checkbox"/> Consider the arguments in the appeal brief filed ___ and reply brief filed ___ | 02 FC:1201 1000.00 DA |
| 4. <input type="checkbox"/> The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition. | 03 FC:1202 50.00 DA |
| 5. <input type="checkbox"/> The enclosed Information Disclosure Statement. | |
| 6. <input type="checkbox"/> The Enclosed Non-Publish Request. | |
| 7. <input type="checkbox"/> Please suspend action under Rule 103(c) for a period of ___ months (3 mos. Max) for which the required \$130 fee is enclosed | |
| 8. <input checked="" type="checkbox"/> Please charge deposit Account No. <u>07-0630</u> in the amount of <u>\$790.00</u> and <u>\$450.00</u> for a two (2) Month Extension of Time | |

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a **duplicate copy of this sheet** is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

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